

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS COUNTY OF NEWPORT

The Town Council of the Town of Tiverton, County and State aforesaid held a Joint Workshop with the Historic Preservation Advisory Board on Monday, the 30th day of September 2013 at 7:00 p.m. at the Tiverton Town Hall, 343 Highland Road.

MEMBERS PRESENT:

Councilor President Roderick, Vice-President deMedeiros, Councilor Chabot, Councilor Lambert and Councilor Pelletier. Councilors Arruda and Gerlach were absent.

Town Solicitor Andrew M. Teitz and Town Administrator James Goncalo were also present.

1. Call To Order

Council President Roderick called the Joint Workshop to order with a pledge of allegiance to the flag. Clerk Leona Cook conducted the roll call for the Town Council. Town Clerk Nancy Mello was absent.

Discussion of Proposed Historic District Zoning – Tiverton Four Corners

a. Proposed Ordinance presented by Tiverton Historic Preservation Advisory Board

b. Planning Board Informal Advisory Opinion

Susan Anderson, Vice – President of the Tiverton Historic Preservation Advisory Board (HPAB) and Richard Greenwood, RI Historical Preservation & Heritage Commission (RIHPHC) appeared before the Council on the proposed Historic District Zoning for Tiverton Four Corners. Ms. Anderson read from a prepared statement, explained in 1974, 48 buildings at Four Corners (4C) were designated by the federal government as a National Register of Historic Places (NRHP) district. The Comprehensive Community Plan (Comp Plan) calls for the preservation of historic districts and “specific design standards and guidelines for the Tiverton Four Corners area” (p. 41). The HPAB recommends Historic District Zoning for the 48 structures in the National Register District. The draft ordinance in the Council packets is just an example of what an historic district zoning ordinance might look like. A model ordinance is also available from RIHPHC. The 4C Merchants Association was briefed on this proposal, many property owners contacted as well. If adopted, this historic zoning district automatically becomes a Certified Local Government (CLG) important to preserve the historic character of that area. Want to craft an ordinance for a Historical District Commission with simple rules and procedures to protect those buildings.

Mr. Greenwood explained, have experience with 17 other communities that have been done at all levels, state, federal and local. The RIHPCH helps the community deciding on those assets. The NRHP does not provide regulatory protection. Do not want changes to be incompatible, important to respect the historic character, is a tremendous asset. Councilor Lambert, thought it to be a good idea, noted was a work in progress, questioned other proposals out there. Mr. Greenwood explained a model ordinance was put together based on best practices. Ms. Anderson added, took some parts from the Bristol ordinance. The inventory listed on Appendix B was from the NRHP. Mr. Greenwood noted the boundaries shown on the map were from 1974, may have to be adjusted. Councilor Lambert questioned how many of the owners were in favor. Ms. Anderson explained, Stu Hardy (unable to attend) met with the merchants, did not give a number, indicated most of them in favor. Councilor Lambert, reviewed, questioned if forcing on some of the owners who may be dissenters, don’t know if necessary or legal if some opposed would it be appropriate to have certain conditions? Councilor Lambert also noted this ordinance might not apply to every property owner, questioned if an assent was filed would that owner be forever bound?

Solicitor Teitz explained, has a lot of experience, been representing the Historic District Commission in Bristol and South Kingstown for 25 years. Nothing inherently illegal about imposing on everyone, speaks unto regulations and zoning. Warren adopted a voluntary district. The value is in preserving the whole district; projected value of other houses goes up. Bristol has a large historic district, staff approves a lot of things, and major replacements go before the board. Solicitor Teitz response to Councilor Lambert, if enough of a vocal minority don’t do it, don’t opt in, look at this as a whole as you would for anything in the Town as a whole.

Councilor Lambert wanted a sense of the community in that area, if opt in is not appropriate, not sure should impose on a large group. Ms. Anderson explained the purpose to be here was to explain the concept. Solicitor Teitz noted should look at both, duty as an elected representative for those in that district and for all of the people. Ms. Anderson added, with this designation can apply for historical grants. Councilor Chabot questioned what the conditions were for a grant. Mr. Greenwood explained the National Park Service makes the appropriation every year; the Town comes up with a project, not big enough for rehab projects. Councilor Chabot noted in effect the Town Hall could be added to that list. Mr. Greenwood explained 4C meets the criteria, have to demonstrate protecting a historic resource, and is a basic test a property has to meet. Councilor Pelletier questioned how communities deal with additions, alterations and new structures. Mr. Greenwood explained, are historic standards, directives include make compatible but don't create a false sense of history, advise differentiation can be settled in some settings can be appropriate to design in modern style, decisions made by the Commission. The RIHPHC provides training, standards give guidance. Councilor Pelletier noted the delicate balance of what needs to be preserved, certain structures need to be altered if structurally unsound, need public input. Ms. Anderson distributed a corrected Appendix A. Solicitor Teitz will review more carefully, has been around over 50 years with enabling legislation. Important to have draft regulations, can present both a draft ordinance and a draft set of regulations. Solicitor Teitz will try for the October 28th meeting, may not be until November 12th. Mr. Greenwood did agree; need strong support from the property owners and the rest of the community. Planning Board Administrative Officer Kate Michaud noted that specific ordinance language was not reviewed by the Planning Board, when in final form the Planning Board will review and offer a formal opinion.

At this time Councilor Roderick called for motion to adjourn the workshop.

ADJOURNMENT:

Councilor deMedeiros motioned, seconded by Councilor Pelletier to adjourn. The motion passed unanimously.

The workshop adjourned at 7:50 p.m.

Minutes compiled by Leona Cook, Clerk.

A True Copy.

ATTEST: _____

Nancy L. Mello, Town Clerk